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GOVT. OF INDIA
ADMINISTRATION OF THE
UNION TERRITORY OF LAKSHADWEEP
(Secretariat – Special Cell (Legal))
Kavaratti – 682555

Dated the 23rd of November, 2022

NOTIFICATION

F.No.2/4/2022-SC/519:- In exercise of the powers conferred under section 28 of the Legal Services Authorities Act, 1987 (No. 39 of 1987), as amended by the Legal Services Authorities (Amendment) Act, 1994 (No. 59 of 1994), the Administrator, Union Territory of Lakshadweep hereby makes the following rules for amending the Lakshadweep State Legal Services Authority Rules, 1998, namely :-

- 1. Short title and commencement:** - (1) The rules may be called the Lakshadweep State Legal Services Authority (Amendment) Rules, 2022.
- 2) They shall come into force on the date of their publication in the Lakshadweep Gazette.

2. Amendment of Rule 2:

In Rule 2 of the Lakshadweep State Legal Services Authority Rules, 1998 (herein after referred to as the Principal Rules)

(a) In **clause (c)**, for the words “ “Chairman” means the Executive Chairman of the State Authority, or , as the case may be, the Chairman of the Taluk Legal Services Committee; ” the following shall be inserted, namely:-

“ “Chairman” means the Executive Chairman of the State Legal Services Authority, or, the Chairman of the District Legal Services Authority, or , as the case may be, the Chairman of the Taluk Legal Services Committee; “

(b) **After clause (c)**, the following new clause shall be inserted, namely:-

“(c) (a) “District Authority” means the District Legal Services Authority constituted under section 9 of the Act;

(c) In **clause (e)**, for the words “ “Member” means the member of the State Legal Services Authority under clause (c) of the Sub-section(2) Section 6 of the Act, or member of the Taluk Committee as the case may be” the following shall be inserted, namely:-

“ “Member” means the member of the State Legal Services Authority under clause (c) of the Sub-section(2) Section 6 of the Act, or the member of the District Legal Services Authority under clause (b) of the Sub-section(2) Section 9 of the Act , or member of the Taluk Committee as the case may be

(d) In **clause (f)**, for the words “ “Secretary” means the Member-Secretary of the State Legal Services Authority constituted under Section 6 of the Act, or the Secretary of the High Court Legal Services Committee constituted under Section 8A of the Act, as the case may be” the following shall be inserted, namely:-

“ “Secretary” means the Member-Secretary of the State Legal Services Authority constituted under Section 6 of the Act, or the Secretary of the High Court Legal Services Committee constituted under Section 8A of the Act, or the Secretary of the District Legal Services Authority under Section 9 of the Act, as the case may be;”

3. Amendment of Rule 3:

In Rule 3 of the Principal Rules

- (a) **In clause (1)**, for the words “ The State Authority shall have not more than fifteen member. ” the following shall be inserted, namely:-

“The State Authority shall have not more than fifteen members, including the Chairman and Member Secretary”

- (b) **In sub-clause (v) of clause (2)**, for the words “ Liaison Officer for Scheduled Castes and Scheduled Tribes for Union Territory Administration. ” the following shall be inserted, namely:-

“The Secretary Social Welfare & Tribal Affairs”

4. Insertion of new Rule:

After Rule 9

- (a) **After Rule 9** the following new Rule shall be inserted namely:-

“9A The constitution, number, experience and qualifications of the members of the District Authority under Section 9 of the Act

—

- (1) The District Authority shall have not more than ten members including the Chairman and Member Secretary.

- (2) The following shall be ex-officio members of the District Authority:-

- (i) The Additional District magistrate;
- (ii) The District Government Pleader;

- (iii) The Deputy Superintendent of Police (HQ);
- (iv) The Director of Social welfare Department;

- (3) The Administrator may nominate in consultation with the Chief Justice of High Court of Kerala, other members from amongst those possessing the experience and qualifications prescribed in Sub-rule (4) of the rule; provided that 2 of the members shall be women & one shall be a teacher in an educational Institution.
- (4) A person shall not be qualified for nomination as a member of the District Legal Services Authority unless he/she is-
 - (a) An eminent Social Worker who is engaged in the upliftment of the weaker sections of the people, including Scheduled Castes, Scheduled Tribes, Women, Children, rural and urban labour;
 - or
 - (b) An eminent person in the field of law;
 - or
 - (c) A person of repute who is specially interested in the implementation of the Legal Services Schemes.
- (5) Headquarter of the District Authority shall be notified by the Administrator from time to time."

5. Insertion of new Rule:

After Rule 9A so inserted

- (a) **After Rule 9A** the following new Rule shall be inserted namely:-

"9B The powers and functions of the full time Member Secretary of the District Authority under sub-section (3) of Section 9 –

The powers and functions of the Member Secretary of the District Authority, inter alia shall be –

- (a) to exercise such powers and perform such duties under the Chairman of the District Authority as may be assigned to him by such Chairman

- (b) to give free services to the eligible and weaker sections;
- (c) to work out modalities of the legal services schemes and programs under the directions of the Chairman;
- (d) to exercise the powers in respect of administration of the District Authority under the directions of the Chairman;
- (e) to manage the properties and maintain the records of the District Authority under the directions of the Chairman;
- (f) to maintain true and proper accounts of the District Authority including checking and auditing in respect thereof periodically as per the directions of the Chairman;
- (g) to prepare Annual Income and Expenditure Account and Balance Sheet of the District Authority as per the directions of the Chairman;
- (h) to liaison with social action groups and Taluk Legal Service Committees as and when directed by the Chairman;
- (i) to maintain up-to-date and complete statistical information including progress made in the implementation of various legal services programme from time to time;
- (j) to organize various Legal Services Programs as approved by the State Authority and convene Meetings/Seminars and workshops connected with Legal Services Programs and preparation of Reports and follow-up action thereon as per the directions of the Chairman;
- (k) to perform such of the functions as are assigned to him under the scheme, formulated under the Act;
- (l) to perform such other functions as may be expedient for efficient functioning of the District Authority as directed by the Chairman.

6. Insertion of new Rule:

After Rule 9B so inserted

(a) **After Rule 9B** the following new Rule shall be inserted namely:-

“9C Conditions of Service of employees on deputation – The employees on deputation to the State Authority, the District Legal Services Authority and Taluk Legal Services committee shall be governed by the relevant rules as are applicable in their parent organisation.”

/By Order of the Hon'ble Administrator/

Sd/-

(Sandeep Mishra)

Special Secretary (Legal)